

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Michigan Bell Telephone Co v MPSC**
Docket No. **266821**
L.C. No. **00-011830**

William C. Whitbeck, Chief Judge, acting under MCR 7.203(F)(1) and 7.216(A)(10),
orders:

The motion to file reply to answer is GRANTED.

The complaint for superintending control is DISMISSED on the Court's own motion for lack of jurisdiction. Plaintiff has an adequate remedy available from the MPSC's August 1, 2005 order, which is to await entry of a final order after proceedings are concluded. MCR 3.302(D)(2). To the extent that plaintiff alternatively requests that this Court treat its complaint as an application for leave to appeal, the request is DENIED. See *Attorney General v MPSC*, 237 Mich App 27, 39-40; 602 NW2d 207 (1999).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

FEB 3 2006

Date

Sandra Schultz Mengel
Chief Clerk